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AZERBAIJAN: Not arrested, merely detained

By Felix Corley, Forum 18 News Service <<http://www.forum18.org>>

Police in Azerbaijan have threatened six Baptists with criminal prosecution for sharing their beliefs with others, Forum 18 News Service has learned. The passports of three have been confiscated, as has Christian literature and a car. Deputy police chief Misir Imamaliyev, who interrogated one group held at a police station, claimed to Forum 18 that they were not arrested but merely detained. "Distribution of any religious books without state permission is illegal", he stated. Elsewhere, Baku's Greater Grace Protestant Church is awaiting its appeal against a court ruling that it be liquidated.

After two separate incidents in neighbouring regions of northern Azerbaijan bordering Russia, police have threatened six Baptists with criminal prosecution for sharing their faith with others, and handing out religious literature, Baptists who asked not to be identified for fear of state reprisals told Forum 18 News Service. The six are all awaiting possible prosecutions in their homes, but the passports of three have been confiscated. Christian literature and a car confiscated from three of them have not been returned.

Azerbaijan imposes strict state controls on all exercise of freedom of religion or belief. All religious activity without state permission is illegal. Religious literature can only be given away or sold if it has passed through the compulsory prior state censorship and only then in specialised state-approved shops. Heavy punishments are imposed for breaking these restrictions (see Forum 18's Azerbaijan religious freedom survey <http://www.forum18.org/Archive.php?article_id=1690>).

Threatened with criminal charges

Three Baptists visiting the northern Khachmaz [Xacmaz] Region were detained by police on the morning of 23 June and held until 1 am the following morning, after they offered Christian literature to passers-by, church members told Forum 18. They have been threatened with criminal charges and await possible prosecution at home. "They handed out at most five or six items of literature", church members told Forum 18 on 28 June.

The three Baptists - Timofei Aparshev, Nadezhda Ryzhkova and Stepanida Sheludyakova - are all members of the Council of Churches Baptist congregation in the port of Sumgait [Sumqayit]. Council of Churches congregations refuse on principle to seek state registration in any of the former Soviet republics where they operate.

After a conversation with a group of people and distribution of literature, one young man came up to them and asked them to give what they were giving. He then immediately approached the police. The three Baptists were taken to the police station where they were asked the same questions separately. Among those questioning them was Khachmaz Deputy Police Chief Misir Imamaliyev.

After they refused to write a statement, the Representative for Northern Azerbaijan of the State Committee for Work with Religious Organisations, Eynulla Nurullayev, arrived and began to question each of them separately. He threatened to file criminal charges under Article 167-2, Part 1 ("Production, sale and distribution of religious literature, religious items and other informational materials of religious nature with the aim of import, sale and distribution without appropriate authorisation"). Part 1 punishes first time "offenders" acting alone.

Punishments are a fine of 5,000 Manats (38,627 Norwegian Kroner, 5,127 Euros, or 6,369 US Dollars) to 7,000 Manats (54,052 Norwegian Kroner, 7,175 Euros, or 8,916 US Dollars), or up to two years' imprisonment. The minimum monthly wage has been 93.50 Manats (685 Norwegian Kroner, 90 Euros, or 119 US Dollars) from 1 December 2011.

At 11 pm on 23 June the three Baptists were taken to the head of the Criminal Investigation Department, who treated them "especially crudely". Police confiscated their passports "so as not to allow them to flee to Russia" according to police. All three are Azerbaijani citizens. They were released from the police station at 1 am on 24 June.

Currently, police say they are collecting materials to institute criminal proceedings, and the case has been transferred to Sumgait Police. The three are expecting to be summoned there for further questioning, church members told Forum 18.

Not arrested, merely detained

Khachmaz Deputy Police Chief Imamaliyev insisted that the three Baptists had not been arrested, but merely detained while their identity was being established. "They didn't have their documents with them," he told Forum 18 from Khachmaz on 28 June. He stressed that they are now back at home.

Imamaliyev defended the detention. "Our Criminal Code was recently amended, and you need permission to distribute any religious literature, whether Muslim or Christian."

Asked whether Azerbaijan has freedom of speech, Imamaliyev claimed that it does. Asked whether distributing books about socialism or vegetarianism was also banned he said: "Those times have gone. But distributing religious literature requires permission. We have special shops where religious literature can be sold."

Imamaliyev said State Committee representative Nurullayev had to be involved "as he had to give an assessment of the books". "He said that distribution of any religious books without permission is illegal."

Asked whether the three Baptists will be brought to court, Imamaliyev told Forum 18: "The investigator is still looking into this. But everything will be OK, we won't imprison anyone."

The telephone of State Committee representative Nurullayev in Kuba was not answered each time Forum 18 called on 28 June.

Detained and threatened

The detentions and the threats to launch criminal proceedings came a month after three other Council of Churches Baptists from the congregation in the nearby town of Kusar [Qusar] in northern Azerbaijan were detained and threatened.

The three Baptists - Ilgar Mamedov, Akif Babaev and Telman Yarmetov, all ethnic Lezgins - were detained by police on 17 May for sharing their beliefs in the village of Mujuk. They were taken to the police station in Kusar. The police chief ordered that all their literature (120 items of 13 different publications) should be confiscated, as well as Yarmetov's car. The investigator, Senior Lieutenant Rafael (last name unknown), drew up a record and handed it to the Prosecutor's Office. When the three Baptists arrived at the Prosecutor's Office, Senior Lt. Rafael claimed that he could prove the criminal charges he was making.

The three were threatened with prosecution under Criminal Code Article 167-2, Part 1 ("Production, sale and distribution of religious literature, religious items and other informational materials of religious nature with the aim of import, sale and distribution without appropriate authorisation").

"The three were accused of being members of an unregistered church, whose activity is therefore illegal and which doesn't have the right to distribute its literature or preach its faith without special permission from the authorities," church members complained to Forum 18. "They were threatened with a massive fine, or imprisonment of a year or more."

An officer of the Kusar Police Investigation Department denied to Forum 18 the day after the detentions that any such incident had occurred. "No one was detained, no car was seized. Police don't have the right to seize cars, only the courts" (see F18News 18 May 2012 <http://www.forum18.org/Archive.php?article_id=1703>).

The three were subsequently summoned individually and asked "many personal questions", fellow Council of Churches Baptists told Forum 18. "They wanted to know when they got married, where they work, how many children they have, where they are registered."

Hostile media coverage

In late May, the local television station RTV Khachmaz broadcast an item about the detentions and naming the three, Baptists told Forum 18. "Ilgar Mamedov's relatives - who are not Christians - saw the broadcast and told him they had been described as propagandists for Christianity who were agitating for Christianity among the population." The relatives said that the broadcast had noted that an investigation was underway, and that the matter would not be dropped.

As of 28 June, police had still not returned the confiscated car, nor the confiscated literature.

The duty officer at Khachmaz Police admitted to Forum 18 on 28 June that he is familiar with the detention and the accusations against the three Baptists. Asked whether the three will face trial, the officer - who would not give his name - responded: "You're a journalist? Am I required to give an account to you?" He then put the phone down. Subsequent calls went unanswered.

An employee of RTV Khachmaz told Forum 18 on 28 June he did not recall the broadcast mentioning the case. Forum 18 sent written questions to RTV Khachmaz the same day, but had not received a response by the end of the working day in Khachmaz.

Mamedov and Babaev were among four local Baptists sentenced to five days in prison after police raided their congregation's Harvest Festival in Mamedov's private home in Kusar on 31 October 2010 (see F18News 1 November 2010 <http://www.forum18.org/Archive.php?article_id=1505>).

Baku church's liquidation appeal

Baku's Greater Grace Protestant Church is awaiting its appeal against the lower court ruling ordering that it be liquidated. Baku Appeal Court has set the hearing to take place under Judge Seriyev Seyidova at 11 am on 17 July, church members told Forum 18. The liquidation order does not go into force until all legal hearings have been completed. When the ruling comes into force, any religious activity the Church or its members engage in will be illegal and subject to heavy punishment.

Judge Tahira Asadova of Administrative Economic Court No. 1 in Baku ruled to liquidate the Church at a 15-minute hearing on 25 April in the absence of any Church representatives. Monitors from the Baku Office of the Organisation for Security and Co-operation in Europe (OSCE) attended successive hearings in the case, which had been initiated by the State Committee. The Church lodged its appeal to Baku Appeal Court on 24 May.

Greater Grace Church - which has been registered with the Justice Ministry since 1993 - is the first religious community known to have been ordered liquidated since the 2009 Religion Law was adopted. However, the authorities have already closed down Muslim mosques they do not like - most of them Sunni (see F18News 13 April 2012 <http://www.forum18.org/Archive.php?article_id=1689>).

Only six re-registrations in 2012

Despite several hundred unprocessed registration or re-registration applications from religious communities dating back to 2009, the State Committee is known to have approved only six since the beginning of 2012. Five of them have been mosques and one is a Protestant church.

The re-registered Baku-based Word of Life Protestant Church (formerly Cathedral of Praise) was among hundreds of religious communities which lodged the required re-registration applications in late 2009. The registration certificate - dated 24 May 2012 - was handed over to church leaders on 29 May, church members told Forum 18.

The Church had sued the State Committee in court after it refused to process its registration application, eventually winning in the Supreme Court in February. The Supreme Court ordered the State Committee to complete the re-registration. However, the Jehovah's Witness community lost a similar long-running suit against the State Committee's denial of re-registration the same month (see F18News 13 April 2012 <http://www.forum18.org/Archive.php?article_id=1689>).

Also registered at about the same time as Word of Life was a mosque in Agsu District. Both were only added to the published list of registered religious organisations on the State Committee website on 26 June.

The two new registrations bring the total of registered communities to 576. Of these, 555 are Muslim (which the Religion Law requires must be controlled by the state-backed Caucasian Muslim Board) and 21 are of other faiths. Of the non-Muslim registered communities, six are Jewish (Mountain, Georgian and Ashkenazi), three are Molokan (an earlier Russian Protestant-style Christian group), two are Udi Christian (a community revived with state backing), two are Georgian Orthodox, two are Baha'i, one is Russian Orthodox (the Baku diocese with six parishes), one Catholic, one Lutheran, one New Life Pentecostal, one Word of Life Pentecostal and one Hare Krishna community.

New State Committee leader

In two separate decrees on 31 May, President Ilham Aliyev removed Hidayet Orujev as chair of the State Committee and appointed Elshad Iskenderov to replace him. On 5 June, President Aliyev granted the 67-year-old Orujev a personal pension to reward him for "long and effective state service".

Orujev had headed the State Committee since July 2006, a period which has seen increasing restrictions on exercising freedom of religion or belief in Azerbaijan. The Religion Law was amended twice in 2009 to bring in new restrictions and again in July 2011. New "offences" and fines for exercising the internationally recognised right to religious freedom have been introduced into the Criminal Code and the Code of Administrative Offences. During this period, raids on religious communities at worship have been frequent, as have fines and confiscations of religious literature (see Forum 18's Azerbaijan religious freedom survey <http://www.forum18.org/Archive.php?article_id=1690>).

Elshad Iskenderov, who is 40, studied at New York's Columbia University. He has been First Secretary of Azerbaijan's Permanent Mission to the United Nations (UN) in New York. More recently, he was General Secretary of the Youth Forum of the Organisation of Islamic Co-operation. It remains to be seen whether his UN experience will cause him to uphold the internationally recognised right to religious freedom, which Azerbaijan has formally promised to implement. (END)

For more background information see Forum 18's Azerbaijan religious freedom survey at <http://www.forum18.org/Archive.php?article_id=1690>.

More coverage of freedom of thought, conscience and belief in Azerbaijan is at <<http://www.forum18.org/Archive.php?query=&religion=all&country=23>>.

A compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments can be found at <http://www.forum18.org/Archive.php?article_id=1351>.

For a personal commentary, by an Azeri Protestant, on how the international community can help establish religious freedom in Azerbaijan, see <http://www.forum18.org/Archive.php?article_id=482>.

A printer-friendly map of Azerbaijan is available at <<http://education.nationalgeographic.com/education/mapping/outline-map/?map=Azerbaijan>>.

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If you need to contact F18News, please email us at:
f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY